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Attorney Docket # 5095-58PCPA

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Reimar FINCK et al.

Serial No.: 09/423,911

Filed: February 28, 2000

For: Method and Installation for Producing Hot Rolled  
Aluminum Tape Intended for Can Making

Examiner: J. Combs

Group Art: 1742

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July 26, 2005

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**Alfred W. Froebrich**

Name of applicant, assignee or Registered Representative

*Alfred W. Froebrich*

Signature

July 26, 2005

Date of Signature

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**APPELLANT'S REPLY BRIEF**

SIR:

This is appellant's reply brief in response to the Examiner's Answer mailed May 26, 2005.

The Examiner states that the limitation which recites that the "last of the hot rolling passes are carried out without recrystallization on the reversing roll stand from coil to coil in a temperature range of 260°C, which is below a recrystallization temperature of the rolled strip", is obvious because Daly teaches that the exit temperature from the reversible hot mill may be 249° to 405°C, with 327°C being preferred, and because Daly suggest avoiding recrystallization (see p. 11 lines 1-7, of the Examiner's answer). The Examiner further states that since the range of Daly

overlaps the recited range, the recited range is obvious. However, Daly does not teach or suggest the criticality of maintaining the recited range of exit temperatures.

While Daly teaches that avoiding recrystallization is preferred, Daly does not state that it is critical. This is evident from the fact that the exit temperature of the intermediate gauge sheet may be above or below 332°C (see col. 3, lines 47-57). Furthermore, Daly discloses that the preferred exit temperature is 327°C, which is greater than the recited range of 260°-280°C.

Furthermore, the recited range of 260°-280°C is a smaller range than that disclosed in Daly. The purpose of the smaller range is to limit the difference between the rolling temperature and the recrystallization which achieves a favorable energy balance which especially important for small mills as discussed in the present application (see page 5, lines 1-9 of the application). Daly does not address this additional critical benefit.

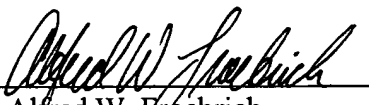
Neither JP '896 nor Windhaus teach or suggest what Daly lacks. JP '896 discloses that it is important to warm all in a temperature range of 100-350°C. Since JP '896 discloses a wide range, JP '896 also fails to teach or suggest the recited range of 260° to 280°C for the same reasons described above with respect to Daly.

Windhaus is used by the Examiner to show means for transferring coiled slabs and a pallet car. However, Windhaus fails to teach or suggest the claimed temperature range of 260°-280°C.

In view of the above remarks, the final rejection should be reversed.

It is believed that no payment or insufficient payment fees are required in connection with the filing of this Reply Brief. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By   
Alfred W. Froebrich  
Reg. No. 38,887  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
Tel (212) 687-2770

Dated: July 26, 2005